REMARKS/ARGUMENTS

This Response is submitted in response to the Office Action dated August 10, 2005. Claims 1-40 are pending in the present Application and stand rejected.

§103 Rejections

In the Office Action dated August 10, 2004, the Examiner rejected claims 1-30 and 34-40 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,017,157 (Garfinkle) in view of U.S. Patent No. 6,650,831 (Thompson). The Examiner rejected claims 31-33 under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,017,157 (Garfinkle) in view of U.S. Patent No. 6,650,831 (Thompson), and further in view of U.S. Patent No. 6,035,323 (Narayen).

In the rejections of claims 1-40, the Examiner continues to rely upon Garfinkle for teaching an online photo-sharing service capable of hosting entity-specific photo-sharing websites for each entity. However, in reference to Garfinkle, the primary reference, the Examiner acknowledges all of the following:

1) "Garfinkle et al. does not teach a method for providing access to entity-specific photo-sharing websites for entity-specific image capture devices . . ." including the recited steps (Office Action pages 2-3);

2) "Garfinkle et al. does not teach a method for automatically sending images from entity-specific cameras to entity-specific websites, comprising the providing a plurality of cameras with means for allowing the cameras to communicate over a network; customizing the camera for different entities by loading at least one entity ID into the camera; customizing each of the photosharing websites for respective entity to create entity specific web sites, each of the entity-specific websites being identified by respective entity ID." (Office Action page 11); and

3) "Garfinkle et al. does not teach an online photo-sharing service for providing access to respective websites for a plurality of entities, wherein each of the entities controls a set of digital cameras; and digital camera software that is customized for each of the entities, such that when the software customized for particular entity is executed in the

entities digital cameras during a network connection to the photosharing service, the software causes the digital cameras to automatically upload images to the website hosted for that particular entity." (Office Action page 7 and similarly on pages 15 and 17).

In previous Office Actions, the Examiner has relied upon Gao for teaching the above features. Now in the present Office Action, the Examiner turns to Thompson for teaching these features. However, Thompson also fails to teach or suggest the claimed invention, singularly or in combination with Garfinkle.

Thompson fails to teach or suggest "entity IDs" that identify entity specific photo-sharing websites

Applicant's agree with the Examiner's statement on pages 2-3 of the Office Action that "Garfinkle does not teach a method for providing access to entity-specific photo-sharing websites for entity-specific image capture devices, comprising: providing software for the entity-specific image capture devices that causes the entity-specific image capture devices to transmit entity ID information when the image capture devices transmit images over a network; such that when the image capture devices connect to the photo-sharing service over the network, the photo-sharing service uses the entity ID received from the image capture devices to automatically associate the images to the photo-sharing website of the identified entity."

Thompson, however, fails to remedy the deficiencies of Garfinkle. Thompson describes a method for providing access to photographic images over a computer network in which a photographic image hosting service provider provides a plurality of sets of reserved, unique network access information for posting digital photographic

images on the network. The network access information is offered to users (e.g., photographers) at physical store locations or other distribution points. The network access information includes a global computer network address (e.g., a universal resource locator, or "URL"), and a password. Upon receipt of the information, photographers can communicate the network access information to intended recipients of images (which may be the subjects of the photographs themselves) at the time the photographs are taken. The photographer then transmits the images to the image hosting service provider along with the network access information. Upon receipt of the images and the network access information, the image hosting service provider posts the images on the network at the reserved location for viewing by anyone with the network access information. (Col. 2, lines 13-43).

Thompson fails to teach or suggest that "the photo-sharing service uses the **entity ID** received from the image capture devices to automatically associate the images to the photo-sharing website of the **identified entity**," as recited in claim 1 and similarly in claim 23. Although Thompson may teach the use of network access information (e.g., a URL) that directs the location of where the image hosting service posts uploaded images, Thompson fails to teach or suggest that the image hosting service "provides access" to multiple "entity-specific photosharing web sites," as claimed. Instead, Thompson only teaches one "photographic image hosting service 10" that predetermines a plurality of sets of reserved network address information for accessing digital and graphic images over a network." So although there may be multiple storage locations within the image hosting service 10 for posting the images,

Thompson is silent as to the image hosting service 10 providing access to the websites of multiple entities. Since Thompson fails to teach the presence of multiple entities, and therefore multiple "entity-specific photo-sharing websites," Thompson fails to teach or suggest that his network address information includes an "entity ID" that identifies each of the entities to the photo-sharing service so that the photo-sharing service can "automatically associate the images to the photo-sharing web site of the identified entity," as claimed.

During the rejection of claims 1-30 and 34-40, the Examiner cited Thompson column 6, lines 55-67 through column 7, lines 1-3, which states:

> Alternatively, the network access information 22 can also be permanently associated with a digital camera by the image hosting service provider 10 prior to purchase by a user 12. This can be accomplished by assigning, or reserving, a global network address (URL) to each camera, which address can be based on a unique identification number or serial number of the camera. An image number can also be incorporated into the network location. For example, photographs hosted by an image hosting service provider 10 at the domain <www.camerai.com>, which were taken with a camera having a serial number of 1200 could have the partial network location of <www.camerai.com/1200>. The image number can then be added to the base network location to complete the address. Thus, the first such image (image 0001) could have the address/file name <www.camerai.com/1200-0001.jpg>.

Associating the network access information with a digital camera merely by assigning a URL to each camera, as described in the above passage, however, fails to teach or suggest the presence of multiple "entity-specific photo-sharing websites" or corresponding "entity-specific image capture devices" that "transmit entity ID information." Indeed, Thompson specifically only mentions the single "image hosting service provider 10." Instead, it is believed that

Thompson is merely assigning a specific storage location within or associated with the single image hosting service provider 10 to each camera.

While the Applicants contemplate that the path portion of a URL (e.g., the portion "1200" in Thompson's exemplary relative URL "www.camerai.com/1200") can be used as an entity ID, Thompson simply does not teach or suggest that his path portion is used by a photo-sharing service to provide access to and automatically upload images to the website for a particular entity of plurality of controlling entities as the claims of this application require. Also, in the claims of the present invention, the entity IDs are assigned to respective entities that control image capture devices/cameras, not to the devices/cameras themselves.

Accordingly, Thompson fails to teach or suggest that "the photo-sharing service uses the **entity ID** received from the image capture devices to automatically associate the images to the photo-sharing website of the **identified entity**," as claimed.

Thompson fails to teach or suggest network-capable image capture devices that transmit entity ID information and images over a network

During the rejection of claims 1-30 and 34-40, the Examiner also cited column 7, lines 13-27 of Thompson, which states:

> The camera preferably has means for communicating network access information 22 to the user 12. The information can be displayed on an LCD panel, or printed from a printer that is attached to, or integral with the camera. As described above, the user 12 can also be provided with pre-printed cards containing the network access information 22, including the URL, the camera identification number and associated

passwords, with the digital camera. Thus, as above, when the photographer 12 captures a photographic image 21 on the storage media, he (or she) can communicate the access information 22 associated with the storage media, or the individual photographic image, to the intended recipient 18 at the time the image is captured and recorded, or shortly thereafter.

It is respectfully submitted that this passage wholly fails to teach or suggest that Thompson's cameras are capable of network communication and therefore fails to teach or suggest image capture devices that "**transmit** entity ID information **when the image capture devices transmit images over a network**," as claimed. In the passage cited by the Examiner, it is clear in Thompson that the phrase "the camera preferably has means for communicating network access information to the user" refers to a user interface that displays or prints the network access information to the user. Nothing in this passage or elsewhere in Thompson suggests that the camera can transmit images and/or the network access information to the image hosting service provider over a network.

In fact, Thompson teaches away from network capable cameras by stating in the very next paragraph:

> To accomplish this alternative method of electronically transmitting the photographic images to the image hosting service provider, the photographer can employ a "client" program running on, for example, a personal computer connected to the network. The client program is programmed to read the photographic image data recorded on the storage media, and to read the network access information associated with the storage media, and is programmed to transmit such information to the image hosting service provider. One skilled in the art, would be able to develop such a client program with minimal effort. (Column 7, lines 27-38)

Thus, Thomson's camera is incapable of network communication, and must instead rely on the user's PC for network communication and to upload images. Therefore, Thompson fails to teach or suggest "an image capture device that "transmit[s] entity ID information **when the image capture devices transmit images over a network**," as recited in claim 1; "digital camera software that is customized for each of the entities, such that when the software customized for a particular entity is executed in the entity's digital cameras during a network connection to the photo-sharing service, the **software causes the digital cameras to automatically upload images to the website** for that particular entity," as recited in claim 10; and the step of **"providing a plurality of cameras with means for allowing the cameras to communicate over a network**" as recited in claim 21.

Because Thompson fails to teach or suggest "entity IDs" that identify entity specific photo-sharing websites, and "image capture devices that transmit entity ID information and images over a network," a combination of Garfinkle and Thompson likewise fails to teach or suggest all the limitations of claims 1, 10, and 23, and therefore fails to provide a prima facie case of obviousness.

Thus, a combination of Garfinkle and Thompson would fail to solve one problem that the claimed invention overcomes: how to associate images uploaded to a photo-sharing service from digital cameras of different entities with the websites of the corresponding entities. Accordingly, it is respectfully submitted that independent claims 1, 10, and 23 are allowable over the cited references.

Dependent Claims 31-40

The arguments made above with respect to independent claims 1, 10 and 23 apply with full force and effect to dependent claims 31-40. Therefore the claims 31-40 are allowable for at least the same reasons as 1, 10 and 23.

Consequently, Applicant respectfully submits that claims 1-40 are allowable over the cited references. Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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November 10, 2005
Date

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